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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,958	03/22/2004	Chien-Pin Huang	14302 B	2596
23595	7590	07/13/2005		
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			EXAMINER TAKAOKA, DEAN O	
			ART UNIT	PAPER NUMBER
			2817	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/805,958

Applicant(s)

HUANG, CHIEN-PIN

Examiner

Dean O. Takaoka

Art Unit

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PM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Shen et al. (U.S. Patent No. 6,061,438).

Claim 1:

Shen et al. shows a network connecting wire structure comprising a network line (defined by both lines 3 connecting the telephone to the wall jack) and a centrally mounted switch (11) where plugs located at the first and second ends of the network line would be inherent to connect the wall jack and telephone (further inherent as exemplified by standard RJ type female connector of switch 11).

Claim 5:

Where the first and second connecting plugs have an inside provided with a plurality of conducting terminals (inherent where the standard RJ11 connector for telephone has multiple connections), and the switch has a push button (11 – col. 4, line 59) to switch connecting states between the conducting terminals of the respective first

and second conducting plugs (shown in Fig. 3 where the switch connects or disconnects for tip and ring signals).

Claim 7:

Where the switch (11) is integrally combined with the first connecting plug (where switch 11 provide through connection for each segment of line 3, e.g. wall jack to telephone, thus defined by the Examiner in the broadest meaning as "integrally combined" with the line).

Claims 1 – 4, 7 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Laity et al. (U.S. Patent No. 6,780,047).

Claim 1:

Laity et al. shows a network connecting wire structure comprising a network line (shown as 26 and 96); a first connecting plug (106) mounted on a first end of the network line; a second connecting plug (28) mounted on a second end of the network line; and a switch (100) mounted between the first connecting plug and second connecting plug.

Claim 2:

Where the network line is a signal line of a Ethernet having a specification of RJ45 (col. 2, lines 12-62).

Claims 3, 4:

Where the first and second connecting plugs are male connectors having a specification of RJ45.

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Claim 7:

Where the switch (100) is integrally combined with the first connecting plug (where switch 100 controls the length of the line, thus defined by the Examiner in the broadest meaning as "integrally combined" with the line).

Claim 8:

Where the switch (100) is mounted on a mediate portion of the network line and located between the first and second connecting plugs.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Laity et al. in view of Shen et al. (U.S. Patent No. 6,061,438).

Laity et al. teaches the network line comprising first and second connecting plugs and a switch mounted between the first and second connecting plugs but does not teach where the switch is a push button switch.

Shen et al. (Fig. 2) shows a similar line connector further comprising a well-known art-recognized equivalent push button switch (11 – col. 4, line 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have substituted the switch disclosed by Laity et al. with the well-known art-recognized equivalent push button switch disclosed by Shen et al. Such a

modification would have been a mere substitution of well-known art-recognized equivalent switches, thus suggesting the obviousness of the modification.

Allowable Subject Matter

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Liebenow – shows a connector to accept different RJ type connectors.

Spates – shows a cable switch.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dean O. Takaoka whose telephone number is (571) 272-1772. The examiner can normally be reached on 8:30a - 5:00p Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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July 8, 2005